

O P E C  
APR 08 2005  
PATENT & TRADEMARK OFFICE  
**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Re app. of: Denison W. Bollay  
Serial Number: 09/276,598  
Filed: 3/25/99  
Title: A Method of Executing an Electronic Commerce  
Sale from an Affiliate Web Site with A Vendor  
Through A Hub Server in One Step Without  
Reentering Shipping and Payment Information

|Examiner: Wasylchak, S.  
|GROUP ART UNIT: 2194

**REVISED AND RESUBMITTED PETITION TO WITHDRAW  
HOLDING OF ABANDONMENT**

Attention: Office of Petitions  
Mail Stop: Petition  
Commissioner of Patents & Trademarks  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant, by his attorney, herewith petitions the Commissioner of Patents and Trademarks to withdraw the holding of abandonment of this application.

This is a revised and resubmitted petition. The original petition was mailed 8/20/04. Applicant has not received a ruling on the original petition. A copy of the outstanding Office Action has been received by Applicant, which makes this revised petition necessary. A complete response to the outstanding Office Action is included herewith.

Petitioner states that:

- (1) Applicant filed a Notice of Appeal on January 31, 2003. A change of address was filed concurrently therewith. (EXHIBIT A)
- (2) The change of address filed on January 31, 2003, was time-stamped received by the U.S. Patent Office on February 7, 2003, as evidenced by a return receipt post card. (EXHIBIT B)
- (3) Upon information and belief, it is believed an Office Letter (EXHIBIT C) presumably mailed July 18, 2003, was mistakenly mailed by the Patent Office to Owen L. Lamb at PO Box 240, Santa Barbara CA 93102-0240, the previous correspondence address of applicant's attorney.
- (4) Petitioner did not receive the Office Letter of EXHIBIT C, as evidenced by Petitioner's contemporaneous mail log (EXHIBIT D).

(5) A Notice of Abandonment was mailed on March 24, 2004 to the attorney of record Owen L. Lamb at PO Box 386, Prescott AZ 86302-0386 .

(6) The abandonment was unavoidable because the abandonment came about by Applicant's failure to reply to the Office Letter of EXHIBIT C, which applicant's attorney did not receive.

(7) A response to the Office Letter of EXHIBIT C is not required by a petition to withdraw the holding of abandonment. However, a complete response the Office Letter mailed of EXHIBIT C is included herewith, including three copies of the Appeal Brief, corrected to overcome Examiner's objections thereto.

(8) No fee is required for a petition to withdraw the holding of abandonment.

It is respectfully requested that the Commissioner of Patents and Trademarks withdraw the holding of abandonment of this application and resume prosecution of the Appeal.

Respectfully submitted,



Owen L. Lamb, Reg. #20,831

Attorney for applicant

Date: April 6, 2005

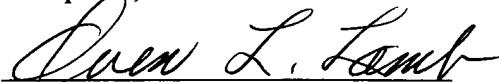
PO Box 386  
Prescott, AZ 86302-0386  
Phone/Fax: (928) 776-8037

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Priority Mail on the date shown below in an envelope addressed to:

Mail Stop: Petition  
Commissioner for Patents  
PO Box 1450  
Arlington, Virginia 22313-1450

on April 6, 2005



Owen L. Lamb, Reg. # 20,831

PTO/SB/122 (10-01)

Approved for use through 10/31/2002 GMB 0651-0035  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

**CHANGE OF  
CORRESPONDENCE ADDRESS  
Application**

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Application Number	09/276,598
Filing Date	03/25/1999
First Named Inventor	DEMISSION W. BOLLAY
Art Unit	3624
Examiner Name	WASYL CHIAK
Attorney Docket Number	D-1507

Please change the Correspondence Address for the above-identified application to:

Customer Number

→

Type Customer Number here.

Place Customer Number Bar Code Label here

OR

<input checked="" type="checkbox"/> Firm or Individual Name	OWEN L. LAMB		
Address	PO BOX 386		
Address			
City	PAESCOR	State	AZ ZIP 86302-0386
Country	USA		
Telephone	(928) 776-8037	Fax	(928) 776-8037

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

- Applicant/Inventor.
- Assignee of record of the entire interest.  
Statement under 37 CFR 1.33(b) is enclosed. (Form PTO/SB/96).
- Attorney or Agent of record.
- Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed Name

OWEN L. LAMB

Signature

*Owen L. Lamb*

Date

1-29-03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 1 forms are submitted.

Submission Note: Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

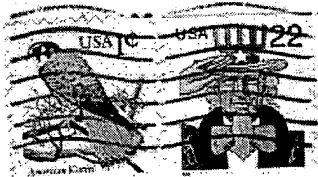
## RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

D-1507  
Application #: 09/276598  
Filed: 3/25/1999  
Inventor: Denison W. Bollay

## Enclosed:

- (1) Transmittal Form (1 page)
- (2) Change of Address (1 page)
- (3) Appeal Notice (1 page)
- (5) Check for \$160.00





Owen Lamb  
PO Box 386  
Prescott AZ 86302-0386



UNITED STATES DEPARTMENT OF COMMERCE  
 U.S. Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINER
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ART UNIT	PAPER
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13

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 1.192(c)

The amendment after final rejection filed on April 7, 2003 has been entered.

Appellant's Brief is defective in 9. APPENDIX (COPY OF APPEALED

CLAIMS) page 31 because it is based upon claims which were not officially entered and no

notice of such entry was sent to Appellant by a required Advisory Action in response to Amendment

After Notice of Appeal. The Appeal Brief is therefore based upon the original claim numbering and not

on the amended claim numbering contained in the amendment simultaneously sent with the Appeal Brief.

Informalities in the Appeal Brief to be corrected include the omission of independent claim 18 on

page 5, line 1. Also, the cover page incorrectly lists #9 APPENDIX (COPY OF APPEALED

CLAIMS) as starting on page 28 when the claims start on page 31.

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak

Paper #13

6/25/03



HANI M. KAZIMI  
PRIMARY EXAMINER

Mail2003.

DOCKET NUMBER	CLIENT	DATE	TYPE OF ACTION	DUe DATE	RESPONSE DATE	COMMENTS
1487	911Notify	1/14/03	Refund	NONE	NONE	\$793 refund from Ladas & Parry
1507	Expertelligence	1/14/03	Post Card Receipt	NONE	NONE	Notice of Appeal received.
1548	Dehlsen	1/14/03	Post Card Receipt	NONE	NONE	Amendment
1526	911Notify	1/16/03	Original Patent	NONE	NONE	6,504,909 1/7/03
1529	Dehlsen	1/27/03	Post Card Receipt	NONE	NONE	10/342910 1/15/03
1530	Intri-Plex	1/27/03	Post Card Receipt	NONE	NONE	Amendment
1523	Intri-Plex	1/31/03	Post Card Receipt	NONE	NONE	Amendment; Terminal Disc.
1523	Intri-Plex	2/3/03	Office Action	2/29/2003	2/10/03	Sub. Amendment filed.
1541	Intri-Plex	2/3/03	Post Card Receipt	NONE	NONE	Notice of Appeal received.
1523	Intri-Plex	2/24/03	Post Card Receipt	NONE	NONE	Subs. Amendment
1561	Dehlsen	2/28/03	Notice of non-recordatio	3/24/03	3/19/03	***
1579	Dehlsen	3/2/03	Notice of Missing parts	4/28/03	4/28/03	New decl.
1591	Dehlsen	3/13/03	Int. Search Report	4/18/03	NONE	Amend?
1561	Dehlsen	3/21/03	Post Card Receipt	NONE	NONE	Recordation Cover
1541	Intri-Plex	3/22/03	Post Card Receipt	NONE	NONE	Appeal Brief received.
1561	Dehlsen	3/22/03	Notice of Publication	NONE	NONE	#US-2003-0044 3/6/03
1548	Dehlsen	3/24/03	Notice of Allowability	NONE	NONE	
1548	Dehlsen	3/24/03	Notice of Allowability	6/12/03	4/11/03	
1456	Intri-Plex	4/4/03	Office Action	6/28/03	4/21/03	Amend for allowance
1530	Intri-Plex	4/4/03	Office Action	6/28/03	4/21/03	Argue patentability
1598	Dehlsen	4/4/03	Filing Receipt	NONE	NONE	10/359,874 2/7/03
1507	Expertelligence	4/9/03	Post Card Receipt	NONE	NONE	Appeal Brief
1548	Dehlsen	4/15/03	Post Card Receipt	NONE	NONE	Issue Fee
1530	Intri-Plex	4/24/03	Post Card Receipt	NONE	NONE	Argue patentability
1456	Intri-Plex	4/25/03	Post Card Receipt	NONE	NONE	Amend for allowance
1548	Dehlsen	4/25/03	Post Card Receipt	NONE	NONE	Assignment
1579	Dehlsen	5/5/03	Post Card Receipt	NONE	NONE	New decl.
1523	Intri-Plex	5/12/03	Notice of Allowability	NONE	NONE	
1523	Intri-Plex	5/12/03	Notice of Allowance	8/5/03	8/5/03	Issue Fee Due
1530	Intri-Plex	5/12/03	Notice of non-complian	6/9/03	5/16/03	Amendment
1530	Intri-Plex	5/12/03	Post Card Receipt	NONE	NONE	Subs. Amendment filed
1595	Dehlsen	5/12/03	Post Card Receipt	NONE	NONE	10/426287 4/30/03
1456	Intri-Plex	5/12/03	Notice of Allowability	NONE	NONE	
1456	Intri-Plex	5/12/03	Notice of Allowance	8/6/03	8/1/03	Issue Fee Due
1596	Dehlsen	5/16/03	Post Card Receipt	NONE	NONE	60/468899 5/7/03
1579	Dehlsen	5/20/03	Filing Receipt	NONE	NONE	10/342,910 1/15/03
1583	Dehlsen	5/20/03	Publication Notice	NONE	NONE	
1561	Dehlsen	6/2/03	Post Card Receipt	NONE	NONE	IDS citing Int. Search
1530	Intri-Plex	6/7/03	Notice of Allowability	NONE	NONE	Response to Appeal Brief.
1530	Intri-Plex	6/7/03	Notice of Allowance	9/5/03	8/28/03	Issue Fee Due
1541	Intri-Plex	6/7/03	Notice of Allowability	NONE	NONE	Response to Appeal Brief.
1541	Intri-Plex	6/7/03	Notice of Allowance	9/2/03	8/28/03	Issue Fee Due
1599	Dehlsen	6/9/03	Post Card Receipt	NONE	NONE	10/449,342 5/31/03
1580	Intri-Plex	6/24/03	Post Card Receipt	NONE	NONE	Prelim. Amendment #2 filed
1580	Intri-Plex	6/25/03	Post Card Receipt	NONE	NONE	Prelim. Amendment #1 filed
1595	Dehlsen	6/26/03	Filing Receipt	NONE	NONE	10/426,287 4/30/03
1595	Dehlsen	6/28/03	Filing Receipt	NONE	NONE	60/468,899 5/7/03
1561	Dehlsen	7/7/03	First Office Action	10/1/03	9/19/03	
1507	Expertelligence	7/15/03	Advisory Action	NONE	NONE	Amendment entered.
1507	Expertelligence	7/20/03	Post Card Receipt	NONE	NONE	Change of Address
1456	Intri-Plex	8/6/03	Post Card Receipt	NONE	NONE	Issue Fee
1523	Intri-Plex	8/6/03	Post Card Receipt	NONE	NONE	Issue Fee
1599	Dehlsen	8/8/03	Filing Receipt	NONE	NONE	10/449,342 5/31/03
1599	Dehlsen	8/8/03	Notice to Correct	10/4/03	9/17/03	Replacement Drawings
1452	Intri-Plex	8/10/03	Maintenance Fee State	NONE	NONE	Fee paid

## Mail2003

1455	Intri-Plex	8/10/03 Maintenance Fee State	NONE	NONE	Fee paid
1459	Intri-Plex	8/10/03 Maintenance Fee State	NONE	NONE	Fee paid
1561	Dehlsen	8/10/03 Notice of Nonrecordatio	9/8/03	9/17/03	Replacement Assignment
1530	Intri-Plex	8/28/03 Post Card Receipt	NONE	NONE	Issue Fee
1541	Intri-Plex	8/28/03 Post Card Receipt	NONE	NONE	Issue Fee
1580	Intri-Plex	8/28/03 Notice of Publication	NONE	NONE	
1590	Dehlsen	8/28/03 Post Card Receipt	NONE	NONE	10/644,419 8/19/03
1548	Dehlsen	9/10/03 Office Communication	NONE	NONE	Amend.entered. 9/30/03
1456	Intri-Plex	9/17/03 Issue Notification	NONE	NONE	6,625,871 9/30/03
1557	911Notify	9/17/03 Post Card Receipt	NONE	NONE	Change of address
1561	Dehlsen	9/17/03 Post Card Receipt	NONE	NONE	Assignment
1590	Dehlsen	9/17/03 Post Card Receipt	NONE	NONE	Assignment
1599	Dehlsen	9/17/03 Post Card Receipt	NONE	NONE	Preliminary Amendment
1598	Dehlsen	2/20/03 Post Card Receipt	NONE	NONE	10/359874 2/7/03
1561	Dehlsen	9/26/03 Post Card Receipt	NONE	NONE	Amendment
1548	Dehlsen	9/26/03 Notice of recordation	NONE	NONE	013982/0822 4/22/03
1523	Intri-Plex	10/9/03 Issue Notification	NONE	NONE	6,631,553 10/14/03
1530	Intri-Plex	10/9/03 Issue Notification	NONE	NONE	6,634,084 10/21/03
1541	Intri-Plex	10/9/03 Issue Notification	NONE	NONE	6,634,085 10/21/03
1456	Intri-Plex	10/9/03 Original Patent	NONE	NONE	6,625,871 9/30/03
1557	911Notify	10/9/03 Official Action	10/16/03	10/16/03	Restriction
1561	Dehlsen	10/24/03 Notice of Allowance	1/14/04	1/15/03	Fee paid
1557	911Notify	10/24/03 Post Card Receipt	NONE	NONE	Restriction
1599	Dehlsen	11/3/03 Filing Receipt (updated	NONE	NONE	10/449,342 5/31/03
1590	Dehlsen	11/20/03 Filing Receipt	NONE	NONE	10/644,419 8/19/03
1599	Dehlsen	11/20/03 Post Card Receipt	NONE	NONE	Assignment
1523	Intri-Plex	11/20/03 Original Patent	NONE	NONE	6,631,553 10/14/03
1530	Intri-Plex	11/20/03 Original Patent	NONE	NONE	6,634,084 10/21/03
1541	Intri-Plex	11/20/03 Original Patent	NONE	NONE	6,634,085 10/21/03
1548	Dehlsen	11/30/03 Original Patent	NONE	NONE	6,653,744 11/25/03
1548	Dehlsen	12/1/03 Post Card Receipt	NONE	NONE	Original Patent rec. by client.
1561	Dehlsen	12/1/03 Post Card Receipt	NONE	NONE	Issue Fee paid
1603	911Notify	12/1/03 Post Card Receipt	NONE	NONE	10/722,677 11/24/03
1557	911Notify	12/3/03 Official Action	3/1/03	2/17/04	
1582	Dehlsen	12/10/03 Notice of Publication	NONE	NONE	#US-2003-0222 3/6/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

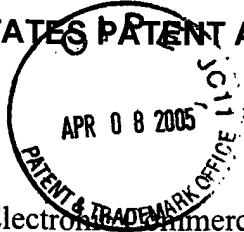
D-1507

In re app. of: Denison W. Bollay

Serial Number: 09/276,598

Filed: 3/25/99

Title: A Method of Executing an Electronic Commerce  
Sale from an Affiliate Web Site with a Vendor  
Through a Hub Server in One Step Without  
Reentering Shipping and Payment Information



Examiner: Wasylchak, S.

GROUP ART UNIT: 2194

**RESPONSE TO NOTICE OF NON-COMPLIANCE**

Commissioner of Patents & Trademarks  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a response to a Notice Of Non-Compliance With The Requirements Of 37 CFR 1.192(C), paper # 13, dated 6/25/03. The date of mailing and the address to which it was mailed are not written on the notice. This response accompanies a revised and resubmitted petition to withdraw holding of abandonment. Three copies of a revised appeal brief are submitted herewith as required by the rules.

**REMARKS**

In the brief the section 9. APPENDIX (COPY OF APPEALED CLAIMS) has been changed to retain the original claim numbering as required by the Examiner. The cover page has been amended to correct the defect noted by the Examiner. The Appeal Brief has been reviewed and corrected as necessary to make it consistent with the original claim numbering.

Acceptance of the revised Appeal Brief is respectfully requested.

Respectfully submitted,

Date: April 6, 2005

PO Box 386

Prescott AZ 86302-0386

Owen L. Lamb, Reg. #20,831

Attorney for applicant

Phone: (928) 776-8037



D-1507

**CERTIFICATE OF MAILING**

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Arlington, Virginia 22313-1450

on April 6, 2005

Owen L. Lamb  
Owen L. Lamb, Reg. # 20,831



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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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AF  
2194

## TRANSMITTAL FORM

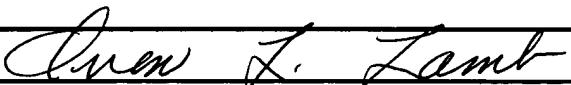
(to be used for all correspondence after initial filing)

		Application Number	09/276,598
		Filing Date	3/25/99
		First Named Inventor	Denison W. Bollay
		Art Unit	2194
		Examiner Name	Wasylchak, S.
Total Number of Pages in This Submission	129	Attorney Docket Number	D-1507

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	 (1) Appeal brief (3 copies) (2) Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Owen L. Lamb		
Date	April 6, 2005	Reg. No.	20831

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Owen L. Lamb	Date	April 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.